IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD
(ORIGINAL JURISDICTION)

MONDAY, THE TWENTY SECOND DAY OF NOVEMBER
TWO THOUSAND AND FOUR
: PRESENT :
THE HON'BLE MR. JUSTICE : C.V. RAMULU.
CONTEMPT CASE No. 1130 of 2004
&
WRIT PETITION No. 9817 of 2004

C.C. No. 1130 of 2004

(Contempt Case under Section 10 to 12 of Contempt of Courts Act to punish the Respondents herein for violating the orders of this Hon'ble Court in W.P.M.P. No. 12499 of 2004 in W.P. No. 9817 of 2004, dated 18-06-2004.)

Between:

M. Samuel Raju.

.. PETITIONER

AND

1. M.R. Prasanna Kumar, The District Educational Officer, Kakinada, East Godavari District.
2. Veerendra Verma, Correspondent, M.S.N.C. Aided High School, Kakinada-2, East Godavari District.

.. RESPONDENTS

COUNSEL FOR THE PETITIONER : Mr. V. Ajay Kumar.
COUNSEL FOR THE RESPONDENT No. 1 : Govt. Pleader for Education.

W.P. No. 9817 of 2004

Between :

M. Samuel Raju.

Petitioner

AND

1. The Government of Andhra Pradesh, School Education Department, rep. by its Secretary, Secretariat, Hyderabad.
2. The District Educational Officer, Kakinada, East Godavari District.
3. The Correspondent, M.S.N.C. Aided High School, Kakinada-2, East Godavari District.
4. The Head Master, M.S.N.C. Aided High School, Kakinada-2, East Godavari District.

Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein, the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of "Writ of Mandamus" directing the respondents to release the retiremental benefits due to the

petitioner by processing the pension papers by declaring the inaction on the part of the respondents in not settling the retiremental benefits is illegal, arbitrary and violative of fundamental rights guaranteed under the constitution of India.

COUNSEL FOR THE PETITIONER : Mr. V. Ajay Kumar.
COUNSEL FOR THE RESPONDENT Nos. 1 & 2 : Govt. Pleader for Education.

Contd..

These cases coming on for hearing and upon perusing the Case/petition and Affidavit filed herein and the order of the High Court dated: 18-6-2004 made in W.P.M.P. No. 12499 of 2004 and Order dated 03-09-2004 made in C.C. No. 1130 of 2004, and upon hearing the arguments of the above mentioned counsel, the Court made the following.

ORDER:

" The learned Government Pleader fairly concedes that the Gratuity from retiral benefits cannot be attached by the Court; and the detailed orders passed by the various Courts are not placed before this Court, which, according to him would really create a hurdle in payment of gratuity to the petitioner.

If there are no legal hurdles, the respondents shall comply with the orders of this Court within two weeks from today.

Post after two weeks. "

DEPUTY REGISTRAR

//TRUE COPY//

for SECTION OFFICER

To

1. M.R. Prasanna Kumar, The District Educational Officer, Kakinada, East Godavari District.
2. Veerendra Verma, Correspondent, M.S.N.C. Aided High School, Kakinada-2, East Godavari District.
   (Addressees 1 & 2 BY Speed Post along with a copy of petition and affidavit)
3. The Secretary, Government of Andhra Pradesh, School Education Department, Secretariat, Hyderabad.
4. The Head Master, M.S.N.C. Aided High School, Kakinada-2,

East Godavari District.

5. One spare copy.

USR

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HIGH COURT

CVRJ

DATED : 22-11-2004

Note : Post after two weeks

ORDER

C.C. No. 1130 of 2004 & W.P. No. 9817 of 2004

DIRECTION.

HIGH COURT

Drafted By : USR
Drafted On : 24-11-2004

CVRJ

DATED : 22-11-2004

Note : Post after two weeks

ORDER

C.C. No. 1130 of 2004 &
W.P. No. 9817 of 2004

DIRECTION.